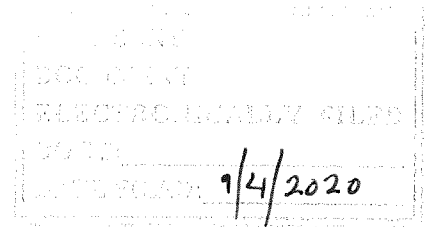


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



-----X
LEONARD PINA-RODRIGUEZ,

Plaintiff,

v.

GARY GARBUTT; U.S. MOBILE IMAGING,
LLC; and CORRECTIONAL DIAGNOSTIC
IMAGING, INC.,

Defendants.
-----X

**THIRD AMENDED
ORDER OF SERVICE**

18 CV 5167 (VB)

Briccetti, J.:

On September 3, 2020, plaintiff, proceeding pro se and in forma pauperis, filed a second amended complaint in this action, naming two new defendants: U.S. Mobile Imaging, LLC (“U.S. Mobile”), and Correctional Diagnostic Imaging, Inc. (“CDI”). (See Doc. #64).

During an on-the-record conference today, counsel for Gary Garbutt indicated he also represents U.S. Mobile in this matter, and agreed to accept service on behalf of U.S. Mobile in lieu of forma service of process through the U.S. Marshals Service.

Accordingly, to allow plaintiff to effect service on CDI through the U.S. Marshals Service, the Clerk of Court is instructed to fill out a U.S. Marshals Service Process Receipt and Return form (“USM-285 form”) for this defendant. The Clerk of Court is further instructed to issue a summons as to this defendant and deliver to the Marshals Service all of the paperwork necessary for the Marshals Service to effect service upon this defendant. Although plaintiff has not provided an address for service on CDI, an address for this defendant is listed on what appears to be this defendant’s website: <http://cdimri.com/contact.html>. Accordingly, the service address for this defendant is appended to this Order.

It is plaintiff's responsibility to ensure that service is made within 90 days of the date the summons is issued and, if necessary, to request an extension of time for service. See Meilleur v. Strong, 682 F.3d 56, 63 (2d Cir. 2012).

Plaintiff also must notify the Court in writing if plaintiff's address changes, and the Court may dismiss the action if he fails to do so.

CONCLUSION

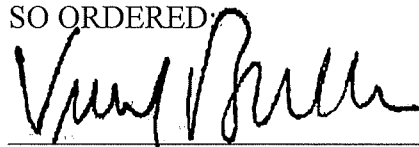
The Court directs the Clerk of Court to complete the USM-285 forms with the addresses for Correctional Diagnostic Imaging, Inc., and deliver to the U.S. Marshals Service all documents necessary to effect service on this defendant.

Chambers will mail a copy of this Order to plaintiff at the address on the docket.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this Order would not be taken in good faith, and therefore in forma pauperis status is denied for the purpose of an appeal. Cf. Coppedge v. United States, 369 U.S. 438, 444-45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

Dated: September 4, 2020
White Plains, New York

SO ORDERED:

A handwritten signature in black ink, appearing to read 'Vincent L. Briccetti', written over a horizontal line.

Vincent L. Briccetti
United States District Judge

APPENDIX

1. Correctional Diagnostic Imaging, Inc.
P.O. Box 404
Lititz, PA 17543